



Please type a plus sign (+) inside this box → ☐

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

15

Application Number

09/642,492

Filing Date

August 18, 2000

First Named Inventor

Gary Van NEST

Group Art Unit

1653

Examiner Name

To Be Assigned

Attorney Docket No.

377882000800

## ENCLOSURES (check all that apply)



Fee Transmittal Form



Assignment Papers  
(for an Application)



After Allowance Communication to  
Group



Fee Attached



Drawing(s)



Appeal Communication to Board of  
Appeals and Interferences



Amendment / Reply



Licensing-related Papers



Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)



After Final



Petition



Proprietary Information



Affidavits/declarations



Petition to Convert to a  
Provisional Application



Status Letter



Extension of Time Request



Terminal Disclaimer



Other Enclosure(s) (please identify  
below):

- Notice to File Missing Parts
- Declaration for Utility Patent Application
- Request for Corrected Filing Receipt
- Copy of Marked-Up Filing Receipt
- Return Receipt Postcard



Express Abandonment Request



Request for Refund



Information Disclosure Statement



CD, Number of CD(s) \_\_\_\_\_



Certified Copy of Priority Document(s)

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304

or

Individual Name

Karen R. Zachow, Reg. No. 46,332

Signature

*Karen R. Zachow*

Date

March 5, 2001

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL154558594US

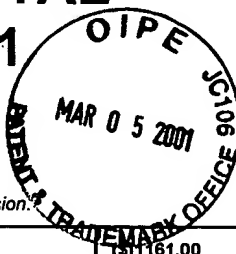
Date of Deposit: March 5, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Karen R. Zachow*  
Karen R. Zachow

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2001



Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1161.00)

## Complete if Known

Application Number 09/642,492

Filing Date August 18, 2000

First Named Inventor Gary Van NEST

Examiner Name To Be Assigned

Group Art Unit 1653

Attorney Docket No. 377882000800

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$345
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$345.00)

### 2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	37	- 20 =	7	x		=	\$308
Independent Claims	3	- 3 =	0	x		=	\$0
Multiple Dependent							= \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$306.00)

or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	\$65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	\$445
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$510.00)

## SUBMITTED BY

Name (Print/Type)	Karen R. Zachow	Registration No. (Attorney/Agent)	46,332	Telephone	(650) 813-5895
Signature	<i>Karen R. Zachow</i>	Date	March 5, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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Date of Deposit: March 5, 2001

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Karen R. Zachow

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Gary VAN NEST et al.

Serial No.: 09/642,492

Filing Date: August 18, 2000

For: METHODS OF MODULATING AN  
IMMUNE RESPONSE USING  
IMMUNOSTIMULATORY  
SEQUENCES AND COMPOSITIONS  
FOR USE THEREIN



Examiner: To Be Assigned

Group Art Unit: 1653

**REQUEST FOR A CORRECTED FILING RECEIPT**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please furnish the undersigned with a corrected Filing Receipt for the above-identified application. The corrections needed are as follows:

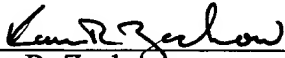
1. In the Applicants, please replace "West" with --Nest--.
2. In the title, please replace "repsonse" with --response--.

A copy of the marked-up Filing Receipt is attached.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: March 5, 2001

By:   
Karen R. Zachow  
Registration No. 46,332

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5895  
Facsimile: (650) 494-0792

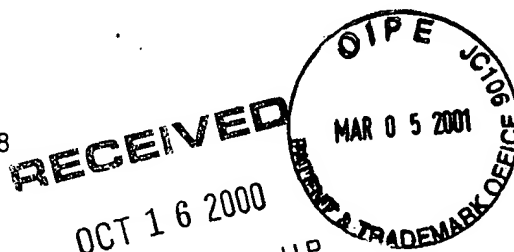


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/642,492	08/18/2000	1653	0	377882000800	1	37	3

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, CA 94304-1018



## FILING RECEIPT



\*OC000000005456564\*

Date Mailed: 10/05/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

*nest*  
Gary Van ~~West~~, Residence Not Provided;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/149,768 08/19/1999

DOCKETED *gb*

## Foreign Applications

If Required, Foreign Filing License Granted 10/05/2000

## Title

*response*  
Methods of modulating an immune ~~response~~ using immunostimulatory sequences and compositions for use therein

## Preliminary Class

424

Data entry by : WHITE, JACKIE

Team : OIPE

Date: 10/05/2000





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/642,492	08/18/2000	Gary Van West	377882000800

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, CA 94304-1018



## FORMALITIES LETTER



\*OC000000005456565\*

Date Mailed: 10/05/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

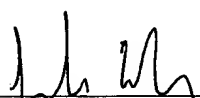
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$306.
  - \$306 for 17 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1126.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

03/09/2001 GTEFFERA 00000126 031952 09642492

01 FC:201	355.00 CH
02 FC:205	65.00 CH
03 FC:203	153.00 CH

PART 2 - COPY TO BE RETURNED WITH RESPONSE